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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Misc. Appeal No. 560 of 2002

(Memorandum of Misc. Appeal U/s 173 of M.V. Act)

APPELLANT
CLAIMANT

: Tul Bahadur Soni S/o Late
Ani Ram aged about 59 years
R/o Zone No. 3, Near Chouhan
Cycle Store, P.S. Chawani
District-Durg (CG).

Versus

RESPONDENTS
NON-APPLICANTS

1. Gajraj Singh Chouhan S/o
Jogi Singh, aged about 30
years R/o Dabra Para Old
Bhilai-3 Thana Bhilai 3
District Durg (CG).
(OWNER & DRIVER)
2. The Oriental Insurance
Company Limited Sector I
Street 31, Bhilai District
Durg .
(Insurance Company)

MEMORANDUM OF APPEAL UNDER SECTION 173 OF M.V. ACT.

P. R. No. 1523/12
Presented by Shri. L. N. T. - 11/2/12
dated 03.02.12



(16)

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 560 OF 2002

Appellant : Tul Bahadur Soni

Versus

Respondents: Gajraj Singh Chouhan & another.

(Arising out of Claim Case No. 74/99)

02-01-2007

Shri Sunil Sahu, counsel for the appellant.

None for respondent No.1.

Shri. J.M.Gairola, Divisional Manager, the Oriental Insurance Company Limited with Shri Ali Asgar counsel for respondent No.2.

In terms of compromise, award is passed as below:-

- 1) In addition to compensation already awarded by the Tribunal, respondent No.2 shall pay Rs.20,000/- (Rupees Twenty Thousand Only) to the appellant.
- 2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
- 3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
- 4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
- 5) In view of the above, appeal against respondent No.1 stands dismissed.
- 6) Out of the above amount, Rs. 200/- (Rupees Two hundred only) shall be paid to counsel for the appellants directly by respondent No.2 towards counsel fee.
- 7) If the amount awarded is not deposited within a period of one month, the Oriental Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
- 8) Copy of the award shall be given to the parties free of cost.

Sd/-

Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-

Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

2.1.07